

22 April 1964

MEMORANDUM FOR: General Counsel

SUBJECT : Article by Alice Widener entitled
"Open Up the Spigot Now That It
Leaks" appearing in the 17 April
1964 Washington Daily News.

The attached is furnished for your information, as per request of Mr. Bannerman. Copies of the attached are also being furnished to the DDCI, Mr. Paul Chretien and the Members of the Security Committee for information.



Special Assistant
Executive Staff/OS

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Attachment

OGC 64-1111

COMMENT

Open Up the Spigot Now That It Leaks

By ALICE WIDENER

A major topic for discussion this month at the annual meetings of the American Society of Newspapers Editors in Washington and the American Newspaper Publishers Association in New York should be the leak of NSC-68—a secret National Security Council document—to Cabell Phillips of the New York Times.

This is a matter of grave import to the American people and to responsible members of the press as trustees of the people's right to know. The leak involves the worst case of managed news to date.

More important still, it concerns a highly sensitive area of security and a possible violation of a provision known as "the Truman directive" in Title 18, U. S. Code, Section 793 as amended by Section 18, Internal Security Act of 1950.

THE LEAK

On April 13, 1964, the New York Times carried the story on the front page, headlined: "Secret Paper Set Korea War Policy—U. S. Entry and Restraint of MacArthur Were Part of Wide Strategic Concept."

Mr. Phillips' lead sentence was, "A still secret paper prepared by the National Security Council early in 1950 stood at the center of the Truman-MacArthur dispute over the conduct of the Korean War." Mr. Phillips then gave the number of the classified paper, "NSC-68."

Further on, he explained that National Security Council papers are among "the most secret documents" of the U. S. Government. Immediately he followed that assertion with the statement it was possible for him to describe in his article "the substance of NSC-68" in greatly abbreviated form. In turn, this boast was followed immediately by the words "NSC-68," he said. . . .

HOW COME?

In the interest of national security and a free press, our newspaper executives should ask President Johnson to get all the facts involved in Cabell Phillips' divulgence of the substance of secret document NSC-68.

Did Mr. Phillips receive security clearance with an established "need to know?" Or was

he the object of illegal favoritism?

Do the provisions of Title 18 U. S. Code apply impartially to all citizens, as our Federal laws are intended to do? Or is there "elite" in Government circles and on the staff of a pet newspaper who are above and beyond Federal law?

In his leak, Mr. Phillips quotes former Secretary of State Dean Acheson, a lawyer, as saying that NSC-68 is "one of the great documents in our history."

REPREHENSIBLE

If there is legal merit in the Government's right to classify documents as "secret," then under the "Truman directive" (as Title 18, Sec. 793 is called by the press) any divulgence of secret information to an unauthorized person is not only reprehensible and injurious to the public interest but also is a criminal offense.

Moreover, such a leak gives an undue financial advantage to one special newspaper over its competitors in a supposedly free enterprise news market.

Papers expect to compete for beats on news and for exclusive interviews. But no paper can be in position to compete for public interest and sales if there is unfair, deliberate and illegal leak of secret Government information to one specially chosen recipient.

Washington Daily News

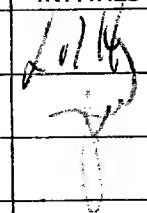
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LET'S HAVE MORE

Since it appears legitimacy might have been breached thru revelation of the top secret NSC-68 to the New York Times, it also seems that only President Johnson can now defend the people in their right to know all the facts.

We were forced to bear the brunt of the disastrous effects of the secret Yalta Agreement. Now it appears we might have been victims of the secret NSC-68, for which President Johnson was in no way responsible.

I think it is the clear duty of the editors and publishers to ask President Johnson to order declassification of NSC-68 and related documents so that we can know the full contents. We could not possibly learn the whole truth of the Truman-MacArthur dispute over the Korean War, or of any other vital matter, thru an insufficient and illegal hand-out of secret information by a lawbreaker to a pet.

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